

AMENDED IN SENATE APRIL 25, 2011

**SENATE BILL**

**No. 249**

**Introduced by Senator Yee**

(Principal coauthor: Assembly Member Ma)

February 10, 2011

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An act to add Section 4132 to the Food and Agricultural Code, relating to district agricultural associations.

LEGISLATIVE COUNSEL'S DIGEST

SB 249, as amended, Yee. District agricultural associations: 1-A District Agricultural Association: membership.

Existing law divides the state into district agricultural associations for the purposes of, among other things, holding fairs and expositions exhibiting all of the industries and industrial enterprises, resources, and products of every kind or nature of the state with a view toward improving, exploiting, encouraging, and stimulating ~~them~~ *those industries*. Existing law provides that the 1-A District Agricultural Association is the County of San Mateo and the City and County of San Francisco. Existing law provides that the term of office of each director of an agricultural association is 4 years, except as specified, provides for the staggering of terms, and requires directors to be appointed by the Governor.

This bill would require that for the directors of the 1-A District Agricultural Association, 2 directors be appointed by *the Governor*, *unless* the Mayor of San Francisco *elects to exercise that authority, as specified*, 2 directors be appointed by *the Governor*, *unless* the Mayor of Daly City *elects to exercise that authority, as specified*, and 5 directors be appointed by the Governor. ~~Because this bill would impose additional duties on local government entities, it would create a~~

~~state-mandated local program. The bill would prohibit the Governor from appointing a director to fill a vacancy until the 2 respective appointments have been made by the Mayor of San Francisco and the Mayor of Daly City. Once those appointments have been made, when there is a vacancy on the board, a successor would be appointed in the same manner as was his or her predecessor.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~.  
State-mandated local program: ~~yes-no~~.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4132 is added to the Food and  
2 Agricultural Code, to read:  
3 4132. (a) The board of directors of the 1-A District Agricultural  
4 Association shall consist of nine members, and, notwithstanding  
5 Section 3959, shall be appointed as follows:  
6 (1) Five members appointed by the Governor.  
7 (2) Two members appointed by the *Governor, unless the Mayor*  
8 *of San Francisco, within 30 days after the vacancy arises, elects*  
9 *to exercise that authority, notifies the Governor during that 30-day*  
10 *period of his or her decision, and actually makes the appointments,*  
11 *in which case the mayor is authorized to appoint those members.*  
12 (3) Two members appointed by the *Governor, unless the Mayor*  
13 *of Daly City, within 30 days after the vacancy arises, elects to*  
14 *exercise that authority, notifies the Governor during that 30-day*  
15 *period of his or her decision, and actually makes the appointments,*  
16 *in which case the mayor is authorized to appoint those members.*  
17 (b) (1) Appointments shall be made as vacancies occur and no  
18 person shall be appointed to serve on the board of directors of the  
19 1-A District Agricultural Association who is not a person specified  
20 in paragraph (2) or (3) of subdivision (a) until the requirements in  
21 those paragraphs have been met. This section shall not be construed  
22 to limit the term of any member of the board of directors of the

1 1-A District Agricultural Association who is a director at the time  
2 this section becomes effective.

3 (2) After the requirements in paragraphs (2) and (3) of  
4 subdivision (a) have been met, when there is a vacancy on the  
5 board, a successor shall be appointed in the same manner as was  
6 his or her predecessor.

7 ~~SEC. 2.—If the Commission on State Mandates determines that~~  
8 ~~this act contains costs mandated by the state, reimbursement to~~  
9 ~~local agencies and school districts for those costs shall be made~~  
10 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
11 ~~4 of Title 2 of the Government Code.~~